

Atty. Docket No. 192.0001
Amdt. Dated September 8, 2003
Reply to Office action of March 6, 2003
Appl. No. 09/727,489

PATENT

REMARKS

In this amendment, claims 1-24 are canceled. Accordingly, claim 25 is pending. Concurrently filed with this Amendment is a Petition for three-month extension of time and the corresponding fee.

In the Official Action, claims 1, 3-4 and 21-25 were rejected under 35 U.S.C. §102(e) as anticipated by Ogilvie, U.S. Patent No. 6,343,738 (hereinafter Ogilvie). This rejection is respectfully traversed.


It is well settled that in order to anticipate a claim, a reference must disclose each and every limitation of that claim. Ogilvie does not disclose each of the limitations of claim and, therefore does not anticipate claim 5.

Ogilvie is directed to a system for brokering goods between a buyer and seller using an automatic brokering agent. Ogilvie discloses a catalogue module 1212 that creates a catalogues using content samples.

Different from Ogilvie, claim 25, as amended, calls for a processor in communication with a memory that searches seller computers to determine the availability of intellectual property. Nothing in Ogilvie suggests or discloses apparatus that performs such a function. Accordingly, Ogilvie cannot anticipate claim 25. It follows that claim 25 is properly allowable.

In view of the foregoing amendments and remarks, it is asserted that the application is in condition for allowance. Reconsideration of the rejection and a favorable action on the merits are respectfully requested.

Respectfully submitted,
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